

## Chapter 7

# PUBLIC AND AGENCY INVOLVEMENT

### 7.0 INTRODUCTION

Pursuant to the requirements of the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) as well as the Department's commitment to proactive public participation, a comprehensive program of public and agency involvement was conducted as part of the environmental document preparation process. Public and agency involvement was accomplished through a variety of means including a formal scoping process that included a series of public and agency scoping meetings, extensive one-on-one and small group agency consultation, and presentations and public workshops held as part of the development of the LOSSAN Corridor Strategic Plan.

The following subsections describe the various forms of public and agency involvement effort undertaken during this study.

Pre-Scoping Period: Prior to the inception of the LOSSAN Proposed Rail Corridor Improvements Study, the California High-Speed Rail Authority conducted its own Scoping Process in conjunction with its Program-Level EIR/EIS for the Statewide HSR system, which extended from April 8, 2001 through May 31, 2001.

Six officially noticed formal scoping meetings were conducted in the Los Angeles-Orange County-San Diego Region 4 between May 2, 2001 and May 23, 2001. Two meetings were held in each county. All these meetings were open to the general public, but public agencies were encouraged to attend the meetings scheduled during business hours, leaving the evening meetings to focus on the general public.

Scoping activities also included interviews or meetings with more than 50 government officials, business, environmental and ethnic community leaders, four workshops or presentations to major stakeholder groups in Los Angeles and Orange Counties, and an assessment of interviews and meetings about high-speed rail train options with San Diego leaders that occurred in the year preceding the NOP on this project.

The following major themes came out of the Authority's scoping process with regard to the LOSSAN Corridor, were considered by the Department, and led to the initiation of the LOSSAN Corridor Proposed Rail Corridor Improvements Study:

- Seeing a long-term plan put in place for the LOSSAN Corridor. Those participating in the scoping meetings were familiar with Amtrak and other upgrading efforts and supported a comprehensive improvement strategy that would accommodate short and long-term upgrades. In this context they supported moving forward with known technologies that could be implemented soon, rather than extending the implementation timeframe to achieve a newer technology.
- In south Orange County and north San Diego County, agencies and community leaders were greatly interested in preserving or enhancing access to the beaches and recreational-oriented communities. They saw a high-speed train as both a potential opportunity to eliminate existing obstructions and/or to become another

obstruction, depending on how the high-speed train project was designed and implemented.

- In Orange County most of the input focused on the potential impact to San Clemente. There were strong concerns voiced about the need to protect the sensitive bluffs and reduce noise and visual impacts in the areas adjacent to the city's primary public beach. Participants supported studying alternatives that would improve beach access.
- Secondary concerns in Orange County revolved around requests that the environmental documents include extensive information about the parking required (i.e., more than the norm in a program EIR/EIS), connectivity to other transit options, and noise impacts.
- Strong concerns were expressed in San Diego to coordinate efforts between this and the Amtrak upgrade efforts. In particular, participants wanted to ensure that any alignment options considered for future study avoid creating separately dedicated rail rights-of-way or tracks or expanding the right of way devoted to rail. A second major theme here was the need to protect environmental resources in the northern communities of San Diego. Reducing negative existing visual impacts in these communities was also a significant issue. Residents were proud of recent redevelopment efforts and initiatives that were creating pedestrian-friendly community centers in these communities and stressed that the high speed train should support the creation of community focal points—or at a minimum, not do anything to disrupt ongoing improvements. Alternatives that did not reinforce clear vistas and localized community business centers will generate opposition. This extends to the visual impact of overhead catenaries associated with an electrified system.

**Scoping Period:** During the scoping phase, while the technical team was working to define evaluation methodologies and the scope of studies, the public and interested agencies were encouraged to provide comments relative to alternatives to evaluate, and issues to address. Scoping activities for the LOSSAN Proposal Rail Corridor Improvements Draft Program EIR/EIS were conducted within the period between April 2, 2002 and April 23, 2002, with an additional meeting held August 13, 2002.

The formal process was initiated with the publishing of the Federal Notice of Intent (NOI) in the Federal Register on March 6, 2002 and the Notice of Preparation (NOP) released on March 11, 2002.

**Strategic Plan:** For the LOSSAN Proposal Rail Corridor Improvements Draft Program EIR/EIS the Department determined that the creation of a LOSSAN Corridor Strategic Plan would be an important and beneficial adjunct and serve as a screening report to further focus the alternatives under study. This complementary planning document looked at the proposed rail improvements from a corridor-wide perspective. In supporting the PEIR/PEIS work underway, the Strategic Plan's objectives were:

- To provide an additional opportunity for public outreach, beyond that provided as part of the PEIR/PEIS process
- To foster better communication and understanding among stakeholders at all levels

- To provide an opportunity to screen out design options at key locations, so as to focus future work on the most promising alternatives
- To develop short- and long-term visions for the corridor, contemplating a program of projects over the next twenty years.

The Strategic Plan met these objectives through a series of public workshops held in cities along the corridor. Five public workshops were held:

**Table 7-1**  
**Strategic Plan Public Workshop Locations and Times**

City	Date	Time	Location
Encinitas	March 25, 2003	6:00 – 8:00 p.m.	Community & Senior Center, 1140 Oakcrest Park Dr.
San Diego	March 26, 2003	6:00 – 8:00 p.m.	Caltrans District 11, 2829 Juan Street
Anaheim	March 27, 2003	6:00 – 8:00 p.m.	City Hall West, 201 South Anaheim Boulevard
San Clemente	April 2, 2003	6:30 – 8:30 p.m.	Community Center, 100 North Calle Seville
Norwalk	April 3, 2003	6:00 – 8:00 p.m.	Norwalk Marriott, 13111 Sycamore Drive

The workshops helped to educate and inform the public, and provided an overview of the corridor and the rail improvements under study, including information on:

- The purpose and goals of the Strategic Plan
- The need for improvements to the corridor
- Current and projected weekday train volumes
- Corridor facts, including rail owners and operators and details on Freight Services
- Types of services provided (Intercity Rail, Commuter Rail, and Freight)
- The Strategic Plan timetable
- Ranges of costs, rail performance issues, and community/environmental issues of projects throughout the corridor
- Design options and alternatives at four key locations along the corridor where the range of options was sufficiently broad to allow the screening out of some options, the recommendations for screening, and the rationale and criteria used to reach the recommended screening decisions
- The Planning Process, including timelines for the completion of the Strategic Plan, and the Department's Draft Program-level Environmental Impact Report/ Environmental Impact Statement.

Numerous consultations were conducted during this phase throughout the LOSSAN corridor. These included briefings and consultations with: individual corridor cities; state and federal environmental and resources agencies, as well as through rail working groups in Orange and San Diego County. These rail working groups were comprised of representatives from cities, the Department, Metropolitan Planning Organizations (MPOs) such as Orange County

Transportation Authority (OCTA) and the San Diego Association of Governments (SANDAG), as well as rail owners and operators (including Amtrak, Southern California Regional Rail Authority (Metrolink), and North County Transit District (Coaster), transit providers, and other stakeholders, and provided continuing communication and interaction throughout this phase.

Technical Studies/Preparation of the Department's Draft Program EIR/EIS: During this period, ongoing and extensive one-on-one and small group consultation occurred with federal, state, and local agencies. In addition, the Department and FRA (as the lead CEQA and NEPA agencies responsible for the preparation of the Draft Program EIR/EIS) formed a working group of representatives of eight key federal and state resources agencies to assist in the environmental review process. The interagency group met at key milestones in the environmental process to discuss the purpose and need for the project, screening of alternatives, the methods to be used for technical evaluation of impacts, including definition of study area, data sources, and models used for analysis, and the key findings.

Public Comment/Hearing Period: This phase is initiated with the announcement and release of the LOSSAN Proposal Rail Corridor Improvements Draft Program EIR/EIS for formal public and agency review. During the comment period, a comprehensive program to provide the public and interested agencies an opportunity to review the results of evaluations on project alternatives and proposed mitigation measures will be conducted. The comment period will include a series of public hearings as well as presentations on the Environmental Document's contents to groups and organizations throughout the corridor. A comment period [of 90 days] has been set to allow adequate time for the review of the document and preparation and submission of comments. All comments received during the formal comment period will be responded to in the LOSSAN Proposal Rail Corridor Improvements Program EIR/EIS.

This section describes the public and agency involvement efforts that have been, and will be, ongoing as the LOSSAN Proposal Rail Corridor Improvements Draft Program EIR/EIS process continues. A comprehensive listing of persons and organizations contacted to date is provided in Chapter 8.0 of this document.

## 7.1 PUBLIC INVOLVEMENT AND OUTREACH PROGRAM

The Department's Public Involvement and Outreach Program include activities to ensure that public input is sought at key milestones throughout the study process and preparation of the technical documents and LOSSAN Proposal Rail Corridor Improvements Draft Program EIR/EIS. In addition, ongoing briefings and updates are provided to interested stakeholders and policymaking entities to maintain open communication on the status of the evaluations and the direction of the study. Public involvement objectives include:

- Respond to California Environmental Quality Act (CEQA) /National Environmental Policy Act (NEPA) requirements for public involvement.
- Disseminate information about the project to interested parties and to directly-affected communities.
- Obtain full and continuous public involvement through the entire project.
- Enable public to assist in the development and verification of findings.
- Ensure outreach to all potentially affected minority and low income populations.

- Insure that the public involvement process has been open and easily accessible through all forms of media (printed materials, electronic media, and meetings).
- Ensure that public and private concerns on issues such as environmental quality and safety are heard and incorporated into environmental documents.

### **7.1.1 Public Information**

The following section details those efforts made to inform and involve the public during the LOSSAN Proposed Rail Corridor Improvements study process.

#### **A. DATABASE LIST**

A project database (or mailing list) ensures that project information and announcements are widely disseminated in a timely fashion. The database for the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS, built from an existing Department contact list, includes more than 1,500 entries of federal, state and local agency representatives, elected officials, property owners, special interest stakeholders, interested parties and others. It has been updated regularly to include public meeting participants and those who have asked to be added to the database. While this list is used for notification of project updates, it does not represent the distribution list for the Program EIR/EIS. The distribution list, as presented in Chapter 10, is a subset of this comprehensive notification list.

#### **B. STRATEGIC PLAN**

As mentioned, the Department's LOSSAN Corridor Strategic Plan provided a process by which the public, corridor cities, state and federal agencies, rail operators and transportation agencies could review and comment on the screening recommendations contained in the Strategic Plan.

During the many meetings held to discuss LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS issues with various audiences other materials were used as well. Targeted PowerPoint presentations were developed to inform stakeholders about the proposed project and issues particularly germane to their interests and constituencies. Exhibit boards highlighted key information about the project and incorporated graphics which helped to more effectively present alignment and station options as well as other issues.

#### **C. PUBLIC MEETINGS**

The Department has held both informal and formal public meetings throughout the course of the studies. These meetings presented the proposed project alternatives, described project issues, and solicited input and feedback from the public. Various meeting formats (e.g. open houses, formal presentations, and question and comment sessions) have been used to ensure effective presentation of the information and useful feedback from participants. A more formal series of meetings were conducted around key technical and decision making milestones as described below. Ongoing briefings, presentations and small group discussions occurred throughout the process (see Chapter 8, Organization, Agency, and Business Outreach, for a comprehensive listing of these meetings).

### Public and Agency Scoping Meetings

The Authority's HSR Scoping meetings within the LOSSAN Corridor, which lead to the LOSSAN Proposed Rail Corridor Improvements Study were held in Los Angeles, (May 2, 2001), La Jolla, (May 10, 2001), San Diego (May 10, 2001), and Irvine (May 23, 2001).

The Department held six formally-noticed Public and Agency Scoping Meetings, between April 2, 2002 and April 23, 2002 (scoping period), as shown in Table 7-2 below<sup>1</sup>. A minimum of one Scoping Meeting was held within each of the three counties through which the rail corridor travels. These meetings, part of the formal environmental document scoping process, served to further present the proposed project and alternatives to the public and solicit input on alternatives to consider, and issues to address, in the environmental evaluations. Depending on the location, meetings were conducted either during the day or during the evening to accommodate the largest number of agency representatives and the general public. Meetings generally began with an informal open house and exhibit display followed by a PowerPoint presentation and comment session.

Comments were fully documented and are summarized in the Public Scoping Report, June 24, 2002. Agendas, Facts Sheets (as described previously) and Scoping Period Comment Sheets were provided at each meeting. Scoping meetings were noticed through a variety of means including placement of the Federal Notice of Intent in the Federal Register on March 6, 2002, distribution of the Notice of Preparation to the State Office of Planning and Research and all applicable state and regional agencies on March 11, 2002, media outreach including press releases, and postings on the Department's Division of Rail Web site (<http://www.amtrakcalifornia.com>). Meetings were held as follows:

**Table 7-2**  
**LOSSAN Corridor Scoping Meeting Locations and Times**

City	Date	Time	Location
Los Angeles	April 2, 2002	1:30 – 3:30 p.m.	Metropolitan Transportation Authority, Union Station Room
San Clemente	April 2, 2002	6:00 – 8:00 p.m.	San Clemente Inn, 2600 Avenida De Presidente
Anaheim	April 3, 2002	10:00 a.m. – 12:00 p.m.	City Hall West, 201 South Anaheim Boulevard
Carlsbad	April 3, 2002	6:00 – 8:00 p.m.	Carlsbad Senior Center, 799 Pine Street
Santa Ana	April 9, 2002	6:00 – 8:00 p.m.	Santa Ana Regional Transportation Center, Logan Room, 1000 Santa Ana Boulevard
San Clemente	April 23, 2002	6:00 – 8:00 p.m.	Heritage Christian Fellowship, 190 Avenida La Pata
San Juan Capistrano	August 13, 2002	6:00 – 8:00 p.m.	Community Center, 25925 Camino del Avion

<sup>1</sup> A seventh meeting was held at the request of the cities of San Juan Capistrano, Dana Point, and San Clemente, based on continuing concerns about improvement alternatives within the existing alignment in South Orange County, and requests to study an alternative that would bypass the highly-sensitive segments of these communities.

Approximately 1,750 people participated in the formal scoping meetings noted above.

In addition to the formal scoping meetings, presentations, briefings and workshops were also held to solicit input before, and during, the scoping process. Meetings and presentations were primarily focused toward public agency and other local organization representatives. Noticing was conducted by a combination of direct phone calls and faxes to local/regional agency representatives, with follow-up faxes/emails with more detailed information about the meetings (as needed). Presentations at conferences, forums, local and regional governments, special interest groups and other interested parties, as well as agency meetings and other briefings were also conducted to increase the number of interested stakeholders informed about the studies. Chapter 8, Organization, Agency, and Business Outreach, includes a comprehensive list of the workshops and the statewide, regional and local groups who participated in this aspect of the Authority's outreach effort. Comments from these workshops and meetings are further summarized in the Public Scoping Report.

Comments were considered in the scoping process and summarized in meeting minutes.

#### Small Group Presentations, Briefings and Outreach

Throughout the environmental review process, presentations to local and regional governments, special interest groups and other interested parties, as well as agency meetings and other briefings have been conducted to ensure that key interested stakeholders and their broader constituencies are informed about the LOSSAN corridor studies, and have provided an additional opportunity to comment. Community planning organizations (e.g. Torrey Pines Community Association), and public agency meetings (e.g. SANDAG Board Meeting) are examples of the types of groups with whom these presentations and discussions have occurred. These activities have enhanced public awareness about the proposed project and alternatives and have encouraged broad-based discussion of key issues and impacts to be evaluated in the environmental document. Chapter 8, Organization, Agency, and Business Outreach, includes a comprehensive list of the regional and local groups participating in this aspect of the Department's outreach effort.

#### **D. DIVISION OF RAIL WEB SITE**

Throughout the course of the environmental review process, project information and announcements have been posted on the Department's Division of Rail Web site at [www.amtrakcalifornia.com](http://www.amtrakcalifornia.com). The site includes information on the cooperative rail passenger program operated by Amtrak and funded by the Federal Government and the State of California, through the Department of Transportation, (Caltrans), which includes the Pacific Surfliner intercity passenger rail service that operates on the LOSSAN corridor. The Division of Rail also uses the Web site to make public documents readily available, including technical reports, screening reports, and planning documents relating to the Department-supported rail services. The Web site has provided an important mechanism through which people who choose not to attend public workshops can learn about important project milestones and provide input. The Web site is updated at least monthly.

## E. NOTIFICATION AND CIRCULATION OF THE LOSSAN PROPOSED RAIL CORRIDOR IMPROVEMENTS DRAFT PROGRAM EIR/EIS

The formal process of notification regarding availability and circulation of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS will be conducted pursuant to CEQA and NEPA requirements. As such, newspaper advertisements announcing the availability of the draft document and comment period will be posted in newspapers of general circulation within the project area, direct mail announcement will be mailed to those on the database, a formal Notice of Availability of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS and a Notice of Completion filed with the state clearinghouse and sent to state agencies will be prepared. EPA will issue a Notice of Availability for the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS to appear in the Federal Register. General notices will be sent to the project mailing list including county clerks, transit agencies, and local cities/communities along the corridor.

The LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS will be distributed to cooperating federal agencies. The Executive Summary of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS and a CD-ROM version of the entire document will be produced for distribution to State and local agencies, and regional transportation agencies. The LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS document will be made available on the Department's AmtrakCalifornia Web site. A public and agency comment period of approximately 90 days will include a series of formal and informal public hearings held throughout the project area. These will be noticed and conducted similarly to the Scoping Meetings described above. Additional opportunities for informal informational meetings will be offered as well. A distribution list for the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS is provided in Chapter 10, Draft Program EIR/EIS Distribution List, of this document.

### 7.1.2 Agency Consultation and Coordination

#### A. AGENCY SCOPING

To initiate the formal scoping process, a Notice of Intent (NOI) was published in the Federal Register on March 2, 2002 and a Notice of Preparation (NOP) was distributed to state, regional and local agencies on April (see Scoping Report, June 24, 2002 for a distribution list). The formal scoping period was conducted from April 2, 2002 through April 23, 2002, with an additional meeting held August 13, 2002. Additional meetings and informal roundtable/workshop meetings were conducted with public agencies. Many of the agency contacts made during the scoping process led to subsequent one-on-one and small group consultation meetings that occurred throughout the preparation of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS.

#### B. INTER-AGENCY WORKING GROUP

The Department and FRA (as lead CEQA and NEPA agencies responsible for preparation of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS) formed a Resources Agencies Working Group, comprised of representatives from eight key federal and state resources agencies, to assist in the environmental review process. The group's purpose is to ensure that agency issues are proactively raised and discussed during the environmental review process and that appropriate environmental streamlining can occur.

The Resources Agencies Working Group met seven times, on the following dates:

- June 27, 2002
- September 10, 2002
- November 26, 2002
- March 13, 2003
- April 24, 2003
- June 4, 2003
- July 30, 2003

Topics discussed at the agency meetings included: Purpose and Need for the project; screening of alternatives; alternatives to be analyzed in the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS; study methods to be used in the evaluation of impacts; level of detail appropriate for a Program-level environmental document; and key findings. The Resources Agencies concurred with the Purpose and Need Statement, Strategic Plan screening recommendations, alternatives to be analyzed and methods used to evaluate impacts. Chapter 8, Organization, Agency and Business Outreach, includes a comprehensive list of the statewide and federal groups who participated in this aspect of the Department's outreach effort.

### C. RAIL WORKING GROUP CONSULTATION

In Orange and San Diego Counties, Rail Working Groups were formed, comprised of representatives from the rail owners/operators, regional transportation agencies, metropolitan planning organizations, and other.

The Orange County/Orange County Transportation Authority Rail Working Group met eight times, on the following dates:

- August 14, 2002
- October 22, 2002
- January 30, 2003
- March 04, 2003
- May 06, 2003
- June 10, 2003
- July 31, 2003
- February 19, 2004

The San Diego County Coastal Rail Working Group met ten times, on the following dates:

- June 13, 2002
- July 31, 2002
- September 09, 2002
- October 22, 2002
- December 3, 2002

- February 18, 2003
- May 07, 2003
- June 09, 2003
- July 31, 2003
- February 20, 2004

Topics discussed at the Rail Working Group meetings included: Purpose and Need for the project; screening of alternatives; alternatives to be analyzed in the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS; study methods to be used in the evaluation of impacts; level of detail appropriate for a Program-level environmental document; issues related to rail operations, program/projects updates by organization, and other LOSSAN-related issues. The Rail Working Groups concurred with the Purpose and Need Statement, Strategic Plan screening recommendations, alternatives to be analyzed and methods used to evaluate impacts. Chapter 8, Organization, Agency, and Business Outreach, includes a comprehensive list of the statewide and federal groups who participated in this aspect of the Department's outreach effort.

#### **D. INFORMAL AGENCY CONSULTATION**

In addition to the formal scoping process and interagency working group meetings, significant and ongoing informal consultation has occurred at the local, regional, and state levels. Chapter 8, Organization, Agency, and Business Outreach, includes a comprehensive list of agencies, organizations and businesses contacted during the study process and the dates when these contacts occurred. The Department and project team have proactively sought direction and input from agency representatives throughout this process and through a variety of mechanisms as mentioned. This consultation will also lay the groundwork for any future project-specific level environmental review process.

#### **E. NEPA 404, SECTION 106 AND WETLANDS CONSULTATION**

The Department and its consultants met with both the EPA and USACE as part of the NEPA 404 process on November 26, 2002, to discuss the screening of alternatives in terms of Waters of the United States. As part of Section 106, the Department's cultural resources technical consultant met with the State Historic Preservation Office on October 23, 2002, to define the Area of Potential Effect for the archaeology and historic property evaluation and to discuss the method of analysis proposed for this Program-level environmental document. Consultation with the USFWS revealed that a Program Biological Opinion would be needed prior to certification of the LOSSAN Proposed Rail Corridor Improvements Draft Program EIR/EIS. This Biological Opinion would describe the expectations for field work and data recovery for the next tier of environmental analysis for areas described as sensitive habitat in the LOSSAN Proposed Rail Corridor Improvements Final Program EIR/EIS.